

# Milbank

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June 14, 2023

**VIA ECF**

Hon. Paul A. Engelmayer  
United States District Court  
Southern District of New York  
40 Foley Square, Courtroom 1305  
New York, New York 10007

Re: *Frontier Airlines, Inc. v. AMCK Aviation Holdings Ireland Limited, et al.*,  
No. 1:22-cv-02943 (PAE) (S.D.N.Y.)

Dear Judge Engelmayer:

We are co-counsel for the remaining Defendants in the above-captioned action (“Defendants”). We write on behalf of Defendants, and with the permission of Plaintiff Frontier Airlines, Inc. (“Frontier”).

The parties have agreed to attend a mediation on June 28, 2023. To concentrate on resolving Frontier’s Application to Convert Temporary Restraining Order to Preliminary Injunction (ECF No. 71) (the “PI Motion”), and potentially the entirety of this action, as well as one or more related actions, the parties respectfully request that the Court enter an order setting the deadlines listed immediately below:

1. Defendants’ response to the PI Motion is due on July 7, 2023;
2. Frontier’s reply in further support of the PI Motion is due on July 12, 2023;
3. a hearing on the PI Motion will be held on July 18, 2023 (the “PI Hearing”), or as soon thereafter as the Court is available;<sup>1</sup>
4. Defendants’ answer to the Second Amended Complaint (ECF No. 35) is due on July 26, 2023; and
5. the parties’ joint case management plan is due the day prior to the PI Hearing and will be addressed at the PI Hearing.

In connection with the foregoing, Defendants Wells Fargo Trust Company, N.A. and UMB Bank, N.A. consent to extension of the temporary restraining order issued pursuant to the Court’s

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<sup>1</sup> Due to a previously scheduled trial, counsel for Defendants is unavailable the week of July 10-14.

Order, dated June 8, 2023 (ECF No. 68) through the PI Hearing date, and Frontier agrees to maintain the \$2 million bond until further order of the Court.

The parties will promptly inform the Court of the outcome of the June 28, 2023 mediation by submitting a joint mediation report to the Court by email on June 29, 2023.

Respectfully submitted,

A handwritten signature in black ink that reads "Jed Schwartz". The signature is written in a cursive, flowing style.

Jed M. Schwartz

cc: All Counsel of record (via ECF)